



THE FAMILY JUSTICE COUNCIL

**Minutes of the meeting held on Monday 22 October 2007
Clive House, Petty France, London SW1**

Present

The Right Honourable Sir Mark Potter (Chair)

The Right Honourable Lord Justice Thorpe (Deputy Chair)

The Honourable Mrs Justice Baron, DBE

Paul Clark - Director of Children's Services, LB Harrow

Stephen Cobb QC – Family Bar

Jane Craig - Family Solicitor, Private Law

District Judge Nicholas Crichton

Sally Field – Ministry of Justice/HMCS

Katherine Gieve - Family Solicitor, Public Law

Dr Danya Glaser - Consultant Child and Adolescent Psychiatrist

Terry Grange - ACPO

Dafydd Ifans – Cafcass, Cymru

Sarah Kovach-Clark – Legal Services Commission

Elaine Laken – Clerk to the Justices, Bath & Wansdyke and North Avon

Professor Judith Masson - Bristol University

District Judge Marilyn Mornington

Her Honour Judge Lesley Newton

Jeremy Oppenheim – Home Office

Crispin Passmore - Legal Services Commission

Dr Rosalyn Proops - Consultant Community Paediatrician

Khatun Sapnara – Family Bar

Beverley Sayers - Family Mediator

Christine Smart – Cafcass

Observer

Katy Rensten - FJC Diversity Committee

Apologies

Bruce Clark – Deputy Head of Partnerships, Department for Children, Schools and Families

Sheridan Greenland - HMCS

Professor Carolyn Hamilton – Office of the Children’s Commissioner (England)

Keith Ingham – Welsh Assembly

1. Announcements

- Katy Rensten, solicitor and member of the Diversity Committee, was attending as an observer
- Jeremy Oppenheim from the Home Office (Borders and Immigration Agency) was attending for item 9 on the agenda
- Dafydd Ifans was attending his last meeting as the representative of Cafcass Cymru. His replacement will be Teresa Hallett
- Keith Ingham from the Welsh Assembly Government has joined the Council as an ex officio member

2. Enhancing the Participation of Children and Young People in Family Proceedings

Two papers were presented to the Council: one for circulation to the Local Councils for their views and an abridged version for publication in Family Law. There followed a general discussion on some of the detail, including the importance of training and the capacity of the JSB to provide it. It was agreed that the papers would be redrafted to reflect the issues raised and presented for approval to the next Council meeting.

3. Local Family Justice Councils

- Julian Owen reported that the secretariat were continuing with their programme of visits to Local Council meetings.
- Local Council administrators had been asked to provide contact details for all their Council members and the information would be entered on a database held by the secretariat. This would enable information to be disseminated to a wide range of professionals in the family justice system and provide Council members with a list of local contacts in their respective professions.
- Children Law UK, a specialist provider in socio-legal training, had been commissioned by HM Courts Service to provide local training on the Public Law Outline to a wide range of professionals. Some 25 seminars will be run between January and March 2008 and would complement the training provided by the JSB for the judiciary.

- It was agreed that Julian Owen would provide an overview of the activities of Local Councils at the next Council meeting in January together with some proposals for the future.

4. Parents' Event – 9 October 2007

The event was held in the Grand Committee Room of the House of Commons. It was organised by Mary MacLeod and chaired by Baroness Howarth and attended by about 40 representatives of various parenting organisations and Council members. The event consisted mainly of question and answer session with Council members on a wide range of parenting and other issues. All those attending felt that the event had been extremely useful. The secretariat would produce a full report for the next Council meeting, when, with the appointment of a new parenting representative on the Council, it would also consider how best to take forward some of the issues raised and the shape of future engagement with parents' groups.

The Council formally thanked Mary MacLeod and Baroness Howarth for a very successful event.

5. Annual Report 2006-07

The report was now in proof-reading stage and would be published in December or January.

6. Funding for the Young People's Group

The grant from the FJC to the Young People's Group continues until March next year and, therefore, the Council needed to decide whether to continue funding the existing Group or another. Cafcass were currently looking at various ways of engaging with and involving young people and it would be sensible for the FJC to link with whatever they decided. A paper would be presented by Cafcass to the next FJC meeting and a final decision made then.

7. Dartington Conference Report

It was generally agreed that the conference had been a great success. The full report would be published in the new year.

8. Asylum Seeking Children

This item was included in the agenda as a result of an exchange of correspondence between the Chair and the Legal and Policy Officer for the Medical Foundation for the Care of Victims of Torture on the treatment of unaccompanied child asylum seekers.

- Jeremy Oppenheim from the Home Office summarised what was being done currently to improve the way children were dealt with in the asylum system. At any one time there were some 6000 unaccompanied young people seeking asylum. Most were in the 16-18 age range but some were as young as 8 or 9. The regionalisation of the Borders and Immigration Agency would create better links with local authorities. Of those there were some 30 to 40 who were funded to develop good practice. The health of children was also a priority and discussions were taking place with the Department for Children, Schools and Families about issuing guidelines on health and education. Finally, The President's Office acts as a liaison point between the family courts and the Home Office in an effort to obtain immigration information for family court proceedings and it may be useful to re-publicise this more widely.

9. Improving Communications

There was a general discussion on communications and it was agreed that the secretariat should consider the matter further and draft a discussion paper.

10. Legal Services Funding

There was a general discussion on the Legal Services Commission's paper on the access to and the supply of legal aid in family cases. It was subsequently agreed that the Council would respond setting out its views on what was considered a good service.

11. Law Society Family Law Protocol

The Family Law Protocol, published by the Law Society, is the definitive handbook for solicitors practising in the family courts and contains a wealth of guidance and good practice. However, a number of solicitors and courts were unaware of its existence and Law Society/Resolution have asked the Council if they would endorse the publication.

It was wholeheartedly agreed that the Council would do so and consideration would also be given to putting the protocol on the website.

12. Update on the Open Meeting

The Council were updated on the arrangements in hand for the open meeting of the Council in January 2008. It was also anticipated that an MoJ Minister would attend.

13. Any Other Business

Cafcass provided the Council with an update on practice and service developments and is annexed to these minutes. Future updates will be provided every 6 months.